

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

JOHS STEPHAN PARISIE

PLAINTIFF

v.

NO. 4:05CV40-P-D

CHRISTOPHER EPPS, ET AL.

DEFENDANTS

JUDGMENT

Upon consideration of the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge dated March 16, 2006, and the March 30, 2006, objections of the plaintiff and the March 30, 2006, objections of defendants Correctional Medical Services, Inc. and PharmacorpRX, to the Report and Recommendation, the court finds that the objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated March 16, 2006, is hereby approved and adopted as the opinion of the court.
2. That the defendants' motion to dismiss based upon the plaintiff's failure to appeal the denial of his prison grievance within thirty days is **DENIED**.
3. That the motion of defendants Correctional Medical Services, Inc. and Pharmacorp L.L.C. to dismiss for failure to state a claim is **DENIED**.

4. That the plaintiff's claims against defendants Dr. Bearry and Dr. Santos are
DISMISSED from this action with prejudice.

5. That the case shall proceed against the remaining defendants.

THIS, the 10th day of April, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE